

Effective 5/12/2015

10-2a-303 Incorporation of a town -- Public hearing on feasibility.

- (1) If, in accordance with Section 10-2a-302, the lieutenant governor certifies a petition for incorporation or an amended petition for incorporation, the lieutenant governor shall, after completion of the feasibility study, schedule a public hearing to:
 - (a) be held no later than 60 days after the day on which the feasibility study is completed; and
 - (b) consider, in accordance with Subsection (3)(b), the feasibility of incorporation for the proposed town.
- (2)
 - (a) The lieutenant governor shall give notice of the public hearing on the proposed incorporation by:
 - (i)
 - (A) publishing notice of the public hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the proposed town; or
 - (B) if there is no newspaper of general circulation within the proposed town, posting notice of the public hearing in at least five conspicuous public places within the proposed town; and
 - (ii) publishing notice of the public hearing on the Utah Public Notice Website created in Section 63F-1-701.
 - (b) The county in which the incorporation is proposed shall post the notice described in Subsection (2)(a)(ii) on the county's website, if the county has a website, for at least two consecutive weeks before the day of the public hearing.
- (3) At the public hearing scheduled in accordance with Subsection (1), the lieutenant governor shall:
 - (a)
 - (i) provide a copy of the feasibility study; and
 - (ii) present the results of the feasibility study to the public; and
 - (b) allow the public to:
 - (i) review the map or plat of the boundary of the proposed town;
 - (ii) ask questions and become informed about the proposed incorporation; and
 - (iii) express its views about the proposed incorporation, including their views about the boundary of the area proposed to be incorporated.
- (4) A county under the direction of the lieutenant governor may not hold an election on the incorporation of a town in accordance with Section 10-2a-304 if the results of the feasibility study show that the five-year projected revenues under Subsection 10-2a-302(7)(b)(v) exceed the five-year projected costs under Subsection 10-2a-302(7)(b)(iv) by more than 10%.

Amended by Chapter 157, 2015 General Session

Renumbered and Amended by Chapter 352, 2015 General Session